

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

FIRSTMERIT BANK, N.A., as successor-in-interest to the FDIC, as Receiver for Midwest Bank and Trust Company,

Plaintiff,

v.

2200 NORTH ASHLAND, LLC, et al.

Defendants.

No. 1:12-cv-00572

**MOTION FOR VOLUNTARILY DISMISSAL**

Plaintiff, by and through its attorneys, Aronberg Goldgehn Davis & Garmisa, hereby moves this Honorable Court, pursuant to Fed.R.Civ.P. 41(a)(2), for entry of an Order voluntarily dismissing Count V (Mortgage Foreclosure – Lawrence Property) of the Second Amended Complaint to Foreclose Mortgages and For Other Relief [DE 102], *without prejudice*, and with leave to reinstate the same within 120 days from the entry thereof.

Plaintiff further moves this Honorable Court for entry of an Order discharging the Receiver, Steven Boyack, from his appointment as receiver over the property located at 1020 W. Lawrence Avenue, Chicago, Illinois, and reducing the Receiver's bond to an amount proportionate thereto.

Respectfully submitted,

FirstMerit Bank, as successor-in-interest to the  
FDIC, as Receiver for Midwest Bank and Trust  
Company,

By One of Its Attorneys:

/s/ Brianna M. Sansone  
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